

HIGH COURT OF CHHATTISGARH AT BILASPUR

M.A. No. 1210 of 2005

Appellants	1. Kamini Bai, Wd/o Neelkanth Verma, aged about 22 years. 2. Bhagirathi, S/o Sundarlal Verma, aged about 47 years. 3. Dukalhin Bai, W/o Bhagirathi Verma, aged about 45 years, Village-Mangasa, P.O. Patharri, Tahsil and District- Raipur (C.G.) 4. Ku. Bhavika Verma, D/o Late Neelkanth Verma, Appellant No. 1 as a legal representative on behalf of Ku. Bhavika Verma, R/o Village-Mansha, P.O. Pathari, Tehsil & District- Raipur (C.G.).
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Versus

Respondents	1. Kumar Chandrakar, S/o Johan Chandrakar, C/o M/s Bhai Ji Garage, Station Road, Raipur, Tahsil and District- Raipur (C.G.) 2. Prahlad Rai, S/o Parmeshwar Lal Agrawal, C/o M/s Bhai Ji Garage, Station Road, Raipur, Tahsil & District- Raipur (C.G.). 3. The Oriental Insurance Company Ltd. Through - Divisional Manager, Division No.2, Chawala Complex, Sai Nagar, Raipur, Tahsil & District- Raipur.
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DB: Hon'ble Shri Justice S. R. Nayak, C.J.
& Hon'ble Shri Justice Satish K. Agnihotri, J.

Mr. S. C. Verma, Advocate, for the appellants.

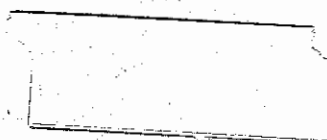
Mr. Vinay Harit, Advocate for the Respondent No.3.

ORAL ORDER

(20th December 2005)

The following order of the Court was passed by **S. R. Nayak, C.J.**

1. This is an appeal preferred by the dependants of the deceased seeking more compensation. The appellants are widow, minor child and parents of the deceased. The only contention raised by Shri Verma, learned counsel for the appellants in the course of



argument is that what is awarded towards conventional heads as compensation is very much on lower side.

2. We have perused the impugned award. The M.A.C.T. has awarded sum of Rs. 5000/- towards 'loss of consortium' & 'loss of love and affection' and Rs. 3000/- towards 'funeral expenses'. It has not awarded any compensation towards 'loss of the estate'. As we repeatedly said and reiterated in our orders recently handed down that even the compensation to be awarded by the M.A.C.T. under conventional heads should reflect time and place and it cannot be static for all the time. Therefore, we award Rs. 20,000/- towards 'loss of consortium' to the widow, Rs. 20,000/- towards 'loss of love and affection' to minor child and another Rs. 20,000/- towards 'loss of the estate'. The impugned award shall stand modified accordingly and in all other respects the impugned award shall remain unaltered.
3. In the facts and circumstances of the case, both the parties are directed to bear their respective costs in this appeal.

Sd/-
Chief Justice

Sd/-
SATISH K. ANGNIHOTRI
Judge